

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Dakota

MORE LIBERAL METHODS OF TREATING RESOURCES  
UNDER SECTION 1902(r)(2) OF THE ACT

☒ Section 1902(f) State

☐ Non-Section 1902(f) State

<u>Aged, Blind Disabled</u>	<u>Families &amp; Children</u>	<u>OMBs</u>	
X	X	X	1. One automobile or other personal vehicle, such as a pickup truck, is exempt regardless of value.
X	X	X	2. Real or personal property which is not saleable without working an undue hardship may be considered unavailable in determining Medical Assistance eligibility. Property which has been, in good faith, offered for sale, and for which no offer has been received which equals or exceeds 75% of the reasonable market value, will normally be treated as not saleable without working an undue hardship. A good faith offer to sell real property would normally include advertisements and listings with real estate agents or local dealers in real estate. The reasonable market value of real property may be established by appraisal or by any other method which is likely to produce an accurate

Approval applies only to those  
eligibility groups covered  
under 1902(r)(2)

Revision: HCFA-PM-91-4  
AUGUST 1991

(BPD)

SUPPLEMENT 8b to ATTACHMENT 2.6-A  
Page 2  
OMB No.: 0938-

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valuation. Valuations established for real estate tax purposes shall not be used. A good faith offer to sell personal property would normally include advertisements, listing with real estate agents or local dealers. The reasonable market value of personal property may be established by appraisals or by any other method which is likely to produce an accurate valuation.

- |   |   |   |    |   |
|---|---|---|----|---|
| X | X | X | 3. | Any prepayments or deposits which total \$3000 or less which are designated and maintained by an applicant or recipient for their burial. The earnings accrued on the burial fund are excluded. A fund is considered to be designated for burial if identified as such on the account or by the applicant or recipient's statement. |
| X | X | X | 4. | An applicant/recipient may rebut the presumption of the salability of "contractual rights to receive payment" by showing the following:   |

TN No. 95-017

Supersedes

TN No. 92-010

Approval Date

11/28/95

Effective Date

07/01/95

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- a. That his interest in the contract was advertised for sale in a newspaper whose circulation area includes the area where the real property relating to the contract is located. This advertisement must be published successively for two weeks if the newspaper is a weekly and for one week if it is a daily.
- b. The sworn statement of the applicant/recipient that no offers were received which equaled or exceeded the minimum price. If all offers were below the minimum price, the property is determined to be not saleable; any offer received that is equal to or in excess of the minimum price will establish that the property is saleable and the seller has the right to accept any of the offers. Rebuttals must be made immediately prior to each redetermination of eligibility for the property to continue to be treated as unsalable.

Approval applies only to those  
eligibility groups covered  
under 1902(r)(2).

TN No. 92-010  
Supersedes new Approval Date 3/9/93  
TN No. new

Effective Date 4/1/92  
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Page 4  
OMB No.: 0938-

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|---|---|---|---|
| X | X | X | 4. Effective Date of Eligibility - An individual is considered resource eligible for the full month if he/she attains resource eligibility on any day of the month, without regard to whether the individual was resource eligible on the first moment of the first day of the month. |
| X | X | X | 5. Effective July 1, 1996 the value of a life estate will be excluded in determining if the available assets of an applicant or recipient exceed the asset limit.   |

IN No. 96-007  
Supersedes  
TN No. 92-010

Approval Date 12/12/96

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